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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
106154-1	06/19/98	KASTER	L 3038240/5847

026370709

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NOT ASSIGNED

**BEST AVAILABLE COPY**

DATE MAILED:

07/09/98

**NOTICE TO FILE MISSING PARTS OF APPLICATION**

**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of  \$65.00 for a small entity in compliance with 37 CFR 1.27, or  \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  small entity (statement filed)  non-small entity is \$ 150

1. The statutory basic filing fee is  missing.  insufficient.

Applicant must submit \$  to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. Additional claim fees of \$  including any multiple dependent claim fees, are required.

\$  for  independent claims over 3.

\$  for  dependent claims over 20.

\$  for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

- is missing or unexecuted.
- does not cover the newly submitted items.
- does not identify the application to which it applies.
- does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

09/23/1998 09:20:00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

01  205 Your filing receipt was handled in error because your check was returned without payment.

3. The application does not comply with the Sequence Rules.

See attached "Notice to Comply With Sequence Rules 37 CFR 1.821-1.825."

9. OTHER

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

*Spela Horne F-6*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

**PART 2 - COPY TO BE RETURNED WITH RESPONSE**

• DAVIS, BROWN, KOEHN, SHORS & ROBERTS, P.C.

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September 14, 1998

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Washington, D. C. 20231

Re: Inventors: Larry Kaster, Jr., et al.  
Serial No. 09/100,516  
Filing Date: June 19, 1998  
Our File No. 3038240/58470  
For: PLANTS AND THEIR PREPARATION

Dear Sir:

Transmitted herewith for filing in the above-identified patent application are the following papers:

1. Copy of Notice to File Missing Parts of Application - Filing Date Granted (Form PTO-1533);
2. Executed Combined Declaration and Power of Attorney;
4. Executed Verified Statement Claiming Small Entity Status of Independent Inventor as originally filed;
5. Letter Accompanying Response to Notice to File Missing Parts requesting one (1) month extension of time;

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Commissioner of Patents and  
Trademarks  
9/14/98  
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6. Our firm check in the amount of \$65.00 payable to Commissioner of Patents and Trademarks in payment of the surcharge for small entity status;
7. Our firm check in the amount of \$55.00 payable to Commissioner of Patents and Trademarks in payment of one (1) month extension; and
7. Certificate of Mailing by regular mail.

Respectfully submitted,

DAVIS, BROWN, KOEHN, SHORS & ROBERTS, P.C.



Kent A. Herink

KAH:ftt  
Enclosures

**PROOF OF MAILING**

The undersigned certifies that the foregoing correspondence is being deposited with the United States Postal Service in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on 9-14-98, by:

U.S. Mail       FAX  
 Hand Delivered       Overnight Courier  
 Federal Express       Other:

Signature: 